City Council Minutes
November 23, 2020
Council Chambers
6:30 PM

I. CALL TO ORDER

Present:	5 -	Mayor Dale McDonald, Vice-Mayor Michael Wilde, Councilmember Michael Thomas, Councilmember Vance Guthrie, Councilmember Lindsay Hall Harrison

Mayor McDonald called the meeting to order at 6:36 PM. Also present were City Manager Anselmo, City Attorney Shepard, and Deputy City Clerk Sotero.

II. INVOCATION

Pastor Mike Luzinski, Asbury United Methodist Church, provided the invocation.

III. PLEDGE OF ALLEGIANCE

Mayor McDonald led the Pledge of Allegiance.

IV. PRESENTATIONS

1. RETIREMENT RESOLUTION JAMES "JIM" LAVENDER

Mayor McDonald presented a framed Retirement Resolution to James "Jim" Lavender, on behalf of the City Council, residents, and employees of the City, expressing deep appreciation and gratitude for Jim's 23+ years of devoted public service and valuable contribution to the City of Maitland.

2. EMPLOYEE OF THE QUARTER

Mayor McDonald presented Jonathan Zara, Community Program Assistant, with the Employee of the Quarter Award. The Mayor thanked and congratulated Jonathan for his on-going efforts as an outstanding representative of the City of Maitland.

V. PUBLIC HEARINGS

1. ORDINANCE: PETITION # 2020-01 (AZ-PD) GEM LAKE WATER DISTRICT

The City Attorney stated that the testimony is to decide a quasi-judicial matter and any testimony provided is considered to be under oath. He administered the Oath to all wishing to speak and asked the Council if they would like to disclose any communications that they have had with the applicants regarding the project.

Mayor McDonald disclosed that he has spoken to Michael Dabby and also with Dan Bellows the applicant regarding the project. Councilmember Hall Harrison stated that she had met with Dan Matthys, Community Development Director at the location to discuss the project.

The Deputy City Clerk read, by title, an ordinance of the City of Maitland, Florida amending the official zoning map, a part of Chapter 21 of the Maitland Code of Ordinances, by changing the zoning classification of property generally located west of U.S. 17-92 and north of Monroe Avenue further described herein, from RG-3, Multiple-Family Residential District and RS-2, Single Family Residential District, to (PD) Planned Development Zoning District, and designating PD zoning for Stormwater/Drainage Parcel, and approving a development plan in conjunction with the PD zoning district to include: up to 363,028 sq. ft. of Non-Residential inclusive of office, institutional (110 ACC Beds), commercial and public semi-public uses; with a maximum percentage of supporting residential-scale retail and personal service uses of overall non-residential entitlements; and up to 424 multi-family residential dwelling units; maximum building heights or five stories and 65 feet and transitioning to three stories and forthy-two feet and allowing additional height for decorative roof elemements, stairwells and elevators; provding for setbacks, buffers, landscaping, project phasing, a subdivision plat and including conditions of approval in conjunction with a development plan for the project; and providing for an effective date.

Mr. Dan Matthys, Community Development Director, stated that the applicant, Gem Lake Apartments, LTD, is requesting to rezone the subject property from RG-3, multiple-family residential district and RS-2, single-family residential district to Planned Development (PD) and obtain approval of a conceptual development plan in conjunction with the PD. The subject property is ~17.8 acres in size and is generally located west of U.S. 17-92 and north of Monroe Avenue. As part of the requested Planned Development approval, each phase of development would require site plan approval from the Development Review Committee (DRC). Modifications to the development plan that exceed the minor change threshold as outlined in the Land Development Code, would require Council approval for an amendment to the PD and development plan. The subject property (with the exception of 311 Monroe Ave) is located within the East Lake District, which is an area of special consideration in the Maitland Comprehensive Development Plan 2035 that recognizes a unique area (subset) of the New Neighborhood Future Land Use designation. This area is intended to provide for a mix of multi-family residential with offices and supporting residential-scale retail and personal service uses. On November 9, 2020, the Council unanimously voted (5-0) to introduce the ordinance for "The Gem Lake Water District" Planned Development. Council asked staff to work with the applicant on potential additional conditions and report back to them. Since the introduction meeting, staff met with the applicant and a Park Lake resident to address specific concerns expressed at the Council meeting, which resulted in additional conditions of approval added to the proposed Ordinance. These additional restrictions include; limitations on size, number and type of watercraft (both motorized and non-motorized); limitations on hours of amplified noise from restaurants and other similar non-residential uses; limitations on the use of the boat ramp(private vs. public). Mr. Matthys answered questions posed by Council. The applicant, Mr. Dan Bellows, Gem Lake Apartments, LTD also answered questions.

Mayor McDonald opened the Public Hearing. The following residents spoke on the project. Mr. Michael Dabby, 605 Waverly Lane; Ms. Debra Rourke, 802 Town Circle; Ms. Abraham, 836 Park Lake Circle; Ms. Sue Lewis, 808 Town Circle; and, Ms. Carleen Haydu, 1614 Gulf View Drive. There being no one else who wished to be heard, Mayor McDonald closed the Public Hearing.

A motion was made by Councilmember Thomas to adopt the ordinance to rezone the development known as "The Gem Lake Water District" to Planned Development, Petition 2020-01 (AZ-PD), and associated development plan. The motion failed for lack of a second.

After discussion, a motion was made to adopt Ordinance #1387 to rezone the development known as "The Gem Lake Water District" to Planned Development, Petition 2020-01 (AZ-PD) and associated development plan; and also to include Pontoon Boats in the ordinance.

RESULT:	**Adopt**
MOVER:	**Councilmember Michael Thomas**
SECONDER:	**Vice-Mayor Michael Wilde**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

Councilmember Thomas left the meeting at 8:35 PM.

2. ORDINANCE: ESTABLISHING CURBSIDE TAKEOUT AS AN ACCESSORY USE

The Deputy City Clerk read, by title, an ordinance of the City of Maitland, Florida, amending Land Development Code Chapter 21 Zoning, Section 21.5, Article XVI; establishing the regulation of food and beverage pick up through a door, window or identified parking space; providing for codification, conflicts, and effective date.

Mr. Dan Matthys, Community Development Director, stated that prior to the onset of the COVID-19 pandemic, dining trends in the restaurant industry were shifting towards food delivery and carry-out dining. The pandemic has accelerated those trends, and a consensus among industry analysts that developments in mobile internet-based technologies will lead to this trend to continue even after the disruption from the current pandemic has receded. In Maitland, where new drive-through lanes are not allowed in many districts, staff has noted a demand for accommodations to allow restaurants to fulfill this growing need for delivery and carry-out while still protecting the aesthetics of the City and mitigating potential impacts on pedestrian safety and moving traffic. The proposed ordinance would modify Chapter 21 Zoning of the Land Development Code to allow certain modifications to the form and function of restaurants in the City to offer improved service for off-premises dining. On November 9, 2020, the City Council unanimously (5-0) voted to introduce the ordinance to establish curbside takeout as an accessory use and set the public hearing date for November 23, 2020. However, it was the guidance of the City Council to table this item for 6 months to allow time to gauge the need for a use of this nature and revisit it in the future. Mr. Matthys answered questions posed by Council.

Mayor McDonald opened the Public Hearing. The following individuals spoke in favor of the ordinance. Ms. Amy DiTrapani, Property Manager, The Shoppes of Maitland; Mr. Alex Bisbee, SRS Real Estate Partners; Mr. Austin Simmons, (has a project in Maitland) Tampa, Florida; and, Ms. Tara Tedrow, Lowndes Law. There being no one else who wished to be heard, Mayor McDonald closed the Public Hearing.

After discussion, a motion was made to deny an ordinance to establish curbside takeout as an accessory use.

RESULT:	**Deny**
MOVER:	**Vice-Mayor Michael Wilde**
SECONDER:	**Councilmember Vance Guthrie**
AYES:	**Dale McDonald, Michael Wilde, Vance Guthrie**
NAYS:	**Lindsay Hall Harrison**

VI. ADJOURN COUNCIL MEETING, CONVENE CRA MEETING

Mayor McDonald recessed the City Council meeting at 9:45 PM. to convene the Community Redevelopment Agency meeting.

Mayor McDonald adjourned the Community Redevelopment Agency meeting at 9:50 PM. to re-convene the City Council meeting.

VII. OLD BUSINESS

There was no Old Business to report.

VIII. CONSENT AGENDA

Mayor McDonald asked if there was anyone from the public who wished to speak on items 2-4 on the Consent Agenda. There being no one who wished to be heard, Mayor McDonald closed the public comment period.

A motion was made to approve the Consent Agenda as presented.

RESULT:	**Approve**
MOVER:	**Councilmember Lindsay Hall Harrison**
SECONDER:	**Councilmember Vance Guthrie**
AYES:	**Dale McDonald, Michael Wilde, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

1. APPROVE CITY COUNCIL MEETING MINUTES OF NOVEMBER 9, 2020

Approve the City Council meeting minutes of November 11, 2020.

2. QUIT CLAIM AND RESERVATION OF EASEMENT - S. LAKE SYBELIA DR.

Authorize the City Manager to execute a quit claim deed and reservation of rights of easement for 800 S. Lake Sybelia Drive.

3. PURCHASE OF FY 2021 FLEET VEHICLES

Approve the purchase of FY21 fleet vehicles through Alan Jay Fleet Sales utilizing Sourcewell contract #2021-120716 NAF awarded to National Auto Fleet Group.

4. CLOSE CITY OFFICES - DECEMBER 31, 2020

Authorize the closure of City Offices on December 31, 2020.

IX. PUBLIC PERIOD

Mayor McDonald opened the Public Period. There being no one who wished to be heard, Mayor McDonald closed the Public Period.

X. DECISION

1. ORDINANCE - EXTENDING SUNSET DATE CHARTER REVIEW COMMISSION

The Deputy City Clerk read, by title, an ordinance of the City of Maitland, Florida, amending the Sunset Provision of the Charter Review Commission; providing for severability; providing an effective date.

The City Manager stated that on June 8, 2020, City Council adopted ordinance 1371 which created a Chater Review Commission. The ordinance contained a provision for the Commission to sunset by December 31, 2020 or acceptance of the final majority report with the intention that any charter amendments would be placed on the March 2021 election. Due to COVID-19, the first meeting of the Commission was in September (all non-essential boards and committee meetings were postponed). At that meeting, the Commission determined that the timeline between September and the December Supervisor of Election's deadline for ballot language, would not permit for a detailed review and meaningful public input. In addition, at the conclusion of the Commission's report, time would still be needed for Council review, public input and drafting of ballot language. The City Manager answered questions posed by Council.

Mayor McDonald requested public comment. There being no one who wished to be heard, Mayor McDonald closed the public comment period.

A motion was made to introduce an ordinance extending the sunset provision date for the Charter Review.

RESULT:	
MOVER:	**Councilmember Vance Guthrie**
SECONDER:	**Councilmember Lindsay Hall Harrison**
AYES:	**Dale McDonald, Michael Wilde, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

XI. DISCUSSION

There were no Discussion items.

XII. CITY MANAGER'S REPORT/CITY ATTORNEY/COUNCIL REPORTS

Mayor McDonald reminded the Council that there would be a Ribbon Cutting for Independence Square, Saturday, December 19th at noon and, that there would be a Workshop on Ft. Maitland Park on Tuesday, December 1st at 5:30 PM in the Council Chambers. Mayor McDonald wished everyone a Happy Thanksgiving.

XIII. ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:55 PM.

CITY OF MAITLAND

____

Signature

____

Title

ATTEST:

Signature

Title